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District of Oregon

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA,

Case No. 3:25-cv-00138-MO

Plaintiff,

v.

COMPLAINT IN REM
FOR FORFEITURE

**REAL PROPERTY LOCATED AT
1910 VISTA AVENUE SE, CITY OF
SALEM, MARION COUNTY, STATE
AND DISTRICT OF OREGON, WITH
BUILDINGS, APPURTENANCES,
AND IMPROVEMENTS,**

AND

**REAL PROPERTY LOCATED AT
4705 BATTLE CREEK ROAD SE, CITY
OF SALEM, MARION COUNTY, STATE
AND DISTRICT OF OREGON, WITH
BUILDINGS, APPURTENANCES,
AND IMPROVEMENTS, *in rem*,**

Defendants.

Plaintiff, United States of America, for its Complaint *in rem* for forfeiture, alleges:

COUNT 1

I.

This Court has subject matter jurisdiction, *in rem* jurisdiction, and venue pursuant to 21 U.S.C. § 881; 28 U.S.C. §§ 1345, 1355, 1356, and 1395; and 19 U.S.C. § 1610.

II.

Defendants, *in rem*, consisting of two (2) pieces of real property further described as:

1. 1910 Vista Avenue SE, Salem, Oregon 97302, and more fully described as:

Parcel Number: 083W02AB01600

Beginning at the Northwest corner of Lot 7 of the SUBDIVISION OF LOTS 5, 6, 7, 8, 9 AND 10 IN GARDEN HOME TRACTS, in Marion County, Oregon; and running thence Easterly along the North line of said Lot, 4.57 chains to the Northwest corner of the tract of land conveyed to Gust Heyden and wife, by deed recorded November 10, 1936 in Volume 227, Page 266, Deed Records of Marion County, Oregon; thence Southerly along the West line of the Heyden tract, 4.344 Chains to the Northeasterly line of the right of way of the Southern Pacific Railroad; thence Northwesterly along the Northeasterly line of said Railroad to the place of beginning, being a portion of Lot 7 of the SUBDIVISION OF LOTS 5, 6, 7, 8, 9 AND 10 IN GARDEN HOME TRACTS IN Marion County, Oregon.

SAVE AND EXCEPT THEREFROM that portion thereof described as follows: Beginning at the point of intersection of the South line of Lot 21 of THE SUBDIVISION OF LOTS 5, 6, 7, 8, 9 AND 10 IN GARDEN HOME TRACTS, with the Easterly line of the right of way of the Southern Pacific Company's main line – said point of intersection being 30 feet easterly measured radially from the center line of said main line at Engineer's Station 121+71.5; thence Easterly along the South line of said Lot 21, a distance of 36.27 feet to a point; thence Southeasterly in a direct line, a distance of 366.11 feet to a point in the Easterly line of the land formerly owned by John H. Long and wife described in Volume 264, Page 437, Deed Records for Marion County, Oregon; thence Southerly along said Easterly line, a distance of 34.46 feet to an intersection with the Easterly line of said right of way which is 30 feet Easterly measured radially from said center line at Engineer's Station 125+89.83; thence Northwesterly along said line of

right of way along curve to the right having a radius of 5,897.17 feet, an arc distance of 416.21 feet to the point of beginning.

Subject to covenants, conditions, restrictions, easements, and/or other encumbrances, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

2. 4705 Battle Creek Road SE, Salem, Oregon 97302, and more fully described as:

Parcel Number: 083W11D 01100

Real property in the County of Marion, State of Oregon, described as follows: A portion of Lot 10, CORNFORTH FRUIT AND DAIRY FARMS, in the City of Salem, County of Marion, State of Oregon (Plat Volume 6, Page 41), more particularly described as follows: Beginning at the Northeast corner of Lot 10 of the Cornforth Fruit and Dairy Farms in Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence West, along the North line of said Lot 10, 529.98 feet to the Northwest corner of the grantor's land; thence South, along the West line of grantor's land, a distance of 165 feet; thence East, parallel with the North line of said Lot 10, 540 feet, more or less, to the middle of the county road along the East line of said Lot 10; thence North 22°30' West 179.14 feet, more or less, to the place of beginning.

NOTE: This Legal Description was created prior to January 01, 2008,

(hereinafter, DEFENDANT REAL PROPERTIES).

DEFENDANT REAL PROPERTIES are now and during the pendency of this action will be within the jurisdiction of this Court. DEFENDANT REAL PROPERTIES are located in the State of Oregon, Marion County.

III.

DEFENDANT REAL PROPERTIES, as described above, represent property used and intended to be used to facilitate the manufacture of an illegal controlled substance (marijuana, and marijuana derivatives), with the intent to distribute, in violation of Title 21, United States Code, Sections 841, 846, and 856, and are therefore subject to forfeiture pursuant to Title 21, United

Staes Code, Section 881(a)(7), as more particularly set forth in the Declaration of Asset Forfeiture Financial Investigator James Stratton, United States Marshal's Service, marked as Exhibit A, attached and fully incorporated herein by this reference.

WHEREFORE, Plaintiff, United States of America, prays that due process issue to enforce the forfeiture of DEFENDANT REAL PROPERTIES, *in rem*; that due notice be given to all interested persons to appear and show cause why forfeiture of these Defendants, *in rem*, should not be decreed; that due proceedings be had thereon; that these defendants be forfeited to the United States; that the Plaintiff United States of America be awarded its costs and disbursements incurred in this action.

DATED: January 27, 2025.

Respectfully submitted,

NATALIE K. WIGHT
United States Attorney

/s/ Christopher Cardani
CHRISTOPHER L. CARDANI
Assistant United States Attorney

VERIFICATION

I, JAMES STRATTON declare, under penalty of perjury, pursuant to the provisions of 28 U.S.C. Section 1746, that I am a Financial Investigator with the United States Marshal's Service for the United States Attorney's Office and that the foregoing Complaint *in rem* for Forfeiture is made on the basis of information officially furnished and upon the basis of such information the Complaint *in rem* for Forfeiture is true as I verily believe.

/s/ James Stratton
JAMES STRATTON
Financial Investigator
United States Marshal's Service